



#5

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**  
**Docket No.: ROC920010109US1**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS UPGRADE ASSISTANCE**  
**USING CRITICAL HISTORICAL PRODUCT INFORMATION**

the specification of which (check one)

\_\_\_ is attached hereto.

X was filed on May 25, 2001 as Application Serial No. 09/865,371 \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

X (NONE) \_\_\_\_\_ YES \_\_\_ NO  
(Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

X (NONE) \_\_\_\_\_  
(Application Serial No.) (Filing Date) (Status) (Patented, Pending, Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(List name and registration number)

William J. McGinnis	Reg. No. 25, 698	John E. Hoel	Reg. No. 26,279
James R. Nock	Reg. No. 42,937	Christopher J. Hughes	Reg. No. 26,914
Steven W. Roth	Reg. No. 34,712	Edward A. Pennington	Reg. No. 32,588
Leslie J. Payne	Reg. No. 26,378	Joseph C. Redmond, Jr.	Reg. No. 18,753
Grant A. Johnson	Reg. No. 42,696	Gero G. McClellan	Reg. No. 44,227

Send Correspondence to: Gero G. McClellan  
Thomason, Moser & Patterson, L.L.P.  
3040 Post Oak Boulevard, Suite 1500  
Houston, Texas 77056-6582

Direct Telephone Calls to: Gero G. McClellan  
713-623-4844

Full name of first Inventor: EARL WALTER EMERICK

Inventor's signature

Date



7-23-01

Residence: 7805 11<sup>TH</sup> AVENUE N.W.  
ROCHESTER, MINNESOTA 55901

Citizenship: U.S.A.

Post Office Address: Same as above

Full name of second Inventor: LONNY R. OLSON-WILLIAMS

Inventor's signature

Date



7/20/2001

Residence: 1123 8<sup>TH</sup> STREET S.W.  
ROCHESTER, MINNESOTA 55902

Citizenship: U.S.A.

Post Office Address: Same as above

---

Full name of third Inventor: VAN DEE SAMMONS

Inventor's signature

Date



8/22/01

Residence:

1602 EXETER COURT  
MARIETTA, GEORGIA 30068

Citizenship:

U.S.A.

Post Office Address:

Same as above

---

Full name of fourth Inventor: KURT CLIFFORD THOMPSON

Inventor's signature

Date



7/20/2001

Residence:

2109 BAIHLY HEIGHT DRIVE S.W.  
ROCHESTER, MINNESOTA 55902

Citizenship:

U.S.A.

Post Office Address:

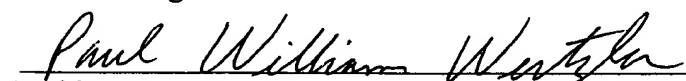
Same as above

---

Full name of fifth Inventor: PAUL WILLIAM WERTZLER

Inventor's signature

Date



7-20-01

Residence:

1915 OAK KNOLL LANE N.W.  
ROCHESTER, MINNESOTA 55901

Citizenship:

U.S.A.

Post Office Address:

Same as above

---

Full name of sixth Inventor: RONALD DEAN YOUNG

Inventor's signature

Date



8-17-01

Residence:

19941 480<sup>TH</sup> STREET  
ZUMBROTA, MINNESOTA 55992

Citizenship:

U.S.A.

Post Office Address:

Same as above

---

☒ This declaration ends with this page.